

AUSA SIPPEL

✓ FILED _____ ENTERED
 _____ LOGGED _____ RECEIVED

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MARYLAND**

11:20 am, Nov 22 2023

AT BALTIMORE
 CLERK, U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 _____ Deputy

UNITED STATES OF AMERICA**v.****DONALD ALLEN GASQUE,****Defendant.****CRIMINAL NO. 1:23-mj-02949-ABA****(Escape, 18 U.S.C. § 751(a))**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, the Affiant – Deputy U.S. Marshal Albert Maresca Jr. – serve as a criminal investigator with the United States Marshals Service (“USMS”). Being duly sworn, I hereby depose and state the following information is true and correct to the best of my knowledge:

1. I make this affidavit in support of a Criminal Complaint and Arrest Warrant against **DONALD ALLEN GASQUE**.

INTRODUCTION

2. As a duly commissioned federal law enforcement officer of the USMS, I am authorized to carry firearms, execute warrants, make arrests for offenses against the United States of America and perform other law enforcement duties as authorized by law. I graduated from the Federal Law Enforcement Training Center (Glynco, GA) as a certified criminal investigator and have over 14 years of fulltime federal law enforcement experience. I am currently assigned to serve as a criminal investigator for the District of Maryland. In this capacity, among other duties and responsibilities, I conduct and investigate fugitive matters, domestic and foreign, involving escaped federal prisoners; federally supervised release, probation, parole, mandatory release, and bond-default violators.

3. The facts in the affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and reports. The affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does

not set forth all of my knowledge about the matter.

4. I herein set forth the following facts showing that there is sufficient grounds to believe that there is probable cause that **DONALD ALLEN GASQUE** committed the crime of Escape, in violation of 18 U.S.C. § 751(a).

PROBABLE CAUSE

5. In or about January 1984, **GASQUE** was charged in the United States District Court for the District of Maryland, criminal case no. H-84-0044, with eight counts of bank robbery, in violation of 18 U.S.C. § 2113(a), (b) and (f). **GASQUE** had his arraignment in federal court on February 9, 1984, and was returned to the Baltimore City Jail. On February 22, 1984, **GASQUE** escaped from jail.

6. While an escapee, **GASQUE** robbed a bank on March 23, 1984, in Fairfax County, Virginia. He was charged with Bank Robbery, in violation of 18 U.S.C. § 2113(a) and (d), in the United States District Court for the Eastern District of Virginia, criminal case no. 86-00181-01.

7. **GASQUE** robbed another bank in Burlington, North Carolina on April 5, 1984, while he was an escapee. He was arrested on April 6, 1984, and he appeared for an arraignment before the United States District Court for the Middle District of North Carolina court on May 7, 1984, in criminal no. CR-84-60-01-G.¹ Following the arraignment, as **GASQUE** was being placed in a holding cell in the United States Marshals Office, he fled from the office. He was quickly apprehended outside of the Federal Building in Greensboro, North Carolina. **GASQUE** was subsequently charged in the United States District Court for the Middle District of North Carolina with Escape, in violation of 18 U.S.C. § 751(a), in criminal case no. CR-84-84-01-WS.

8. On June 14, 1984, **GASQUE** appeared before United States District Judge Richard

¹ Criminal case no. CR-84-60-01-G was transferred to the United States District Court for the District of Maryland for disposition.

C. Erwin of the United States District Court for the Middle District of North Carolina and pleaded guilty to the escape charge, criminal case no. CR-84-84-01-WS. **GASQUE** was sentenced to 45 months' imprisonment in the Federal Bureau of Prisons ("BOP"), and the sentence was to be consecutive with any other sentence that **GASQUE** would be required to serve.

9. On August 31, 1984, **GASQUE** appeared in the United States District Court for the District of Maryland and pleaded guilty to three counts of the eight-count indictment in criminal case no. H-84-0044. **GASQUE** also pleaded guilty to the single-count indictment in criminal no. H-84-0405, which also charged him with Bank Robbery, in violation of 18 U.S.C. § 2113(a).

10. On October 15, 1984, **GASQUE** appeared before United States District Judge Alexander Harvey II of the United States District Court for the District of Maryland for sentencing in criminal cases H-84-0044 and H-84-00405. **GASQUE** was sentenced to 20 years' imprisonment in each case, and the sentences were to run consecutive to all other sentences imposed.

11. On December 5, 1986, **GASQUE** appeared before United States District Judge Claude M. Hilton in the United States District Court for the Eastern District of Virginia to be sentenced in criminal case CR 86-00181-01. **GASQUE** was convicted of Bank Robbery, in violation of 18 U.S.C. § 2113(a), and was sentenced to 84 months' imprisonment with the BOP. This sentence was ordered to run consecutively with any other sentence.

12. On April 2, 2013, **GASQUE** returned to BOP custody based upon a violation of parole associated with criminal case no. CR-84-84-01-WS, pending in the United States District Court for the Middle District of North Carolina.

13. On May 1, 2013, the United States Parole Commission issued a Notice of Action and ordered **GASQUE** continue to presumptive parole on September 13, 2014, after the service of

24 months.

14. On April 24, 2014, under 18 U.S.C. § 4082, the BOP transferred **GASQUE** to the Volunteers of America (“VOA”) Residential Reentry Center (“RRC”) in Baltimore, Maryland, to serve the final custodial portion of his federal sentence.

15. On May 1, 2014, at approximately 4:25 p.m., **GASQUE** could not be located by VOA RRC staff. A complete search was conducted with negative results. VOA RRC staff made several attempts to contact **GASQUE** without success. VOA RRC staff also contacted local hospitals and jails in an attempt to locate **GASQUE**, and the VOA RRC were not able to locate **GASQUE**. Accordingly, VOA RRC staff placed **GASQUE** on escape status and the BOP requested that the USMS locate and arrest **GASQUE**.

16. Since May 2014, the USMS made numerous attempts to locate and contact **GASQUE**. On October 23, 2023, I made contact with **GASQUE** via telephone and requested that he self-surrender for the service of his remaining sentence and **GASQUE** refused.

17. To the best of my knowledge, **GASQUE** has made no attempts to return to the VOA RRC. The current whereabouts of **GASQUE** remain unknown.

CONCLUSION

18. As a result of the information above, there is probable cause to believe that on May 1, 2014, **GASQUE** escaped from BOP custody, in violation of 18 U.S.C. § 751(a), and he remains an escapee.

WHEREFORE, I respectfully request that the Court authorize the attached Criminal Complaint and issue a warrant for **GASQUE**’s arrest.

Under penalty of perjury, I swear that the foregoing is true and correct to the best of my knowledge, information, and belief.

Albert A. Maresca, Jr.
Albert Maresca Jr.
Deputy United States Marshal
United States Marshals Service

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 4.1 and 4(d) on this 21st day of November 2023.

Adam B. Abelson
ADAM B. ABELSON
UNITED STATES MAGISTRATE JUDGE

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: GASQUE, Donald Allen

Known aliases: _____

Last known residence: 4429 Eldone Road, Baltimore, Maryland 21229

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 07/18/1957

Social Security number: _____

Height: _____ Weight: _____

Sex: male Race: Black

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: USMS - Baltimore

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____